

Planning Board
Zoom Hybrid Meeting
Draft Meeting Minutes
July 18, 2023
Approved: _____



Board Members Present: Linda Liddle, Mo Klein, Rebecca Schneider, Bart Gragg, Chair Pete Angie
Quorum Present

Others Present: Matt Hatten, Charles Gaulke, Katrina Morse, Karen Benjamin, Karen Bartishevich, Nancy Zahler, Mark Washburn, Carl Mazzacone, Jason Demarest, Randy Marcus, Nate VanWhy, Chris Boyea

Town Staff: Niels Tygesen, Mollie Duell

Members of the Public: Brad Anton, Brian Ford, Peter Houghton, Don Taylert, Sally Taylert, Richard Burke, Karen Burke, Douglas Snyder, Maria Haight, Susan McKelvey, Meredith Hamil, Anne Folley, Amelia Christian, Ross Johnson, Susan Ritter, John Gates, Mack Travis

Proceedings

Chair Pete Angie called the meeting to order at 7:00 PM at Town Hall.

Approval of Agenda

Chair Angie moved MNSUB2306-02, Ithaca DNYL LLC 2 Lot subdivision, to directly follow SPR2303-01, the Sketch Plan Review of the Dollar General proposed to be built on the land to be subdivided. Chair Angie scheduled a 5 minute break to follow the MNSUB2306-02 Sketch Plan Review.

Motion: Schneider made a motion to accept the amended agenda; Liddle seconded.

Vote: Liddle, aye; Klein, aye; Schneider, aye; and Chair Angie, aye.

Motion Carried.

Approval of Previous Minutes

Motion: Liddle made a motion to approve the June 6th and June 20th meeting minutes; Schneider seconded.

Vote: Chair Angie aye; Liddle aye; Klein aye; Schneider aye.

Motion Carried.

Privilege of the Floor

No members of the public addressed the Board pertaining to items not on the agenda.

Old Business Items

A. MNSUB2302-01: Benjamin 2 Lot Land Division, Public Hearing

The applicant, Katrina Morse, on behalf of the owner, Karen Benjamin, applied for a minor subdivision for the subject site to subdivide the existing 15.07 acre lot into two lots; 'Parcel A1', approximately 2.14

acres, and 'Parcel A2', approximately 12.93 acres. The Planning Board conducted sketch plat reviews during the March 7th and June 6th meetings, referred comments to the BZA for their consideration of an area variance, and gave direction on public hearing requirements for final plat review. The proposal required an area variance from the BZA to reduce the 400' minimum lot frontage width requirement of the A/R zone to 200'. The BZA granted approval with a condition during their meeting on June 21.

Angie summarized a letter from Tompkins County sent on July 6, 2023: The County conducted a 239 review and determined that the proposed action has no significant county wide or intercommunity impact; it is also noted that the BZA granted a variance with the condition of a deed restriction which prohibits further subdivision of Parcel A2.

Chair Angie opened the public hearing for comments. No members of the public offered any comments on MNSUB2302-01.

Motion: Schneider made a motion to close the public hearing; Liddle Seconded.

Vote: Liddle, aye; Klein, aye; Schneider, aye; Chair Angie, aye.

Motion Carried.

Liddle asked why a 239 review was required for the subdivision.

Tygesen responded that because an area variance was needed for the subdivision to be approved, the Inter-governmental Agreement with Tompkins County exempting projects from 239 review was not applicable to this particular subdivision; 239 review is not a standard requirement for subdivisions that comply with zoning regulations.

Chair Angie asked Board members for any comments on the SEQR. No Board members raised concerns over the SEQR.

Planning Board Resolution No. 2023-009

A Resolution of SEQR Determination for the Benjamin 2 Lot Land Division Located at 4190 Dubois Road, Town of Ulysses, Tax Parcel 27.-3-12.2

WHEREAS, the Planning Board finds the following:

1. The proposed action is in consideration of a minor subdivision of a parcel located at 4190 Dubois Road, Town of Ulysses, Tax Parcel 27.-3-12.2, zoned A/R: Agricultural/Rural Zone; and
2. The existing parcel of 15.07 acres will be subdivided into two lots; Parcel 'A1' will be 2.14 acres, and Parcel 'A2' will be 12.93 acres; and
3. The proposal is an Unlisted Action under SEQR for which the Town of Ulysses Planning Board is the lead agency in the environmental review; and
4. The Planning Board on July 18, 2023, has reviewed and accepted as adequate a subdivision map entitled "Final Plat Showing Lands of Karen Benjamin to be Conveyed to Katrina Morse Located at No. 4190 Dubois Road, Town of Ulysses, Tompkins County, New York", prepared by, Shieve Land Surveying dated August 6, 2019, revised January 31, 2023 and May 8, 2023, and other application materials; and
5. The proposal should not negatively impact the character of the neighborhood or the A/R zone; and

6. The proposal should have minimal impacts to traffic along Dubois Road; and
7. The proposal should not negatively impact natural or water resources; and
8. Town planning staff has recommended a negative determination of environmental significance with respect to the proposed Subdivision Approval.

NOW, THEREFORE, THE PLANNING BOARD RESOLVES THE FOLLOWING:

That the Town of Ulysses Planning Board hereby makes a negative determination of environmental significance in accordance with Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617 New York State Environmental Quality Review for the above referenced action as proposed, based on the information in the Short Environmental Assessment Form, and, therefore, an Environmental Impact Statement will not be required.

Motion: Liddle made a motion to approve Planning Board Resolution No. 2023-009; Schneider seconded.

Vote: Liddle, aye; Klein, aye; Schneider, aye; and Chair Angie, aye.

Motion Carried.

Planning Board Resolution No. 2023-010

A Resolution of Final Subdivision Approval of the Benjamin 2 Lot Land Division Located at 4190 Dubois Road, Town of Ulysses, Tax Parcel 27.-3-12.2

WHEREAS, the Planning Board finds the following:

1. The proposed action is in consideration of a minor subdivision of a parcel located at 4190 Dubois Road, Town of Ulysses, Tax Parcel 27.-3-12.2, zoned and A/R: Agricultural/Rural Zone; and
2. The existing parcel of 15.07 acres will be subdivided into two lots; Parcel 'A1' will be 2.14 acres, and Parcel 'A2' will be 12.93; and
3. This is an Unlisted Action for which the Town of Ulysses Planning Board, as lead agency in the environmental review with respect to the project, has on July 18, 2023, made negative determination of environmental significance, after having reviewed and accepted as adequate a Short Environmental Assessment Form; and
4. The action required 239 review, and Tompkins County determined in their comment letter dated July 6, 2023, that the proposed action will have no significant county-wide or inter-community impact; and
5. The Board of Zoning Appeals conducted a public hearing on June 21, 2023 to consider an area variance to reduce the minimum lot frontage width requirement from 400 feet to 200 feet for Parcel A1; and
6. The Board of Zoning Appeals granted the area variance with a condition that would require a deed restriction to prohibit further subdivision on Parcel A2; and

7. Notice of the public hearing was published in the Ithaca Journal on July 13, 2023, was posted on the Town's Public Legal Notice Board, was posted on the Town's webpage, was posted on the subject site, and was mailed to property owners within a 500-foot radius of the subject property; and
8. The Planning Board on July 18, 2023, has reviewed and accepted as adequate a subdivision map entitled " Final Plat Showing Lands of Karen Benjamin to be Conveyed to Katrina Morse Located at No. 4190 Dubois Road, Town of Ulysses, Tompkins County, New York", prepared by, Shieve Land Surveying dated August 6, 2019, revised January 31, 2023 and May 8, 2023, and other application materials; and
9. The lots shown on said plat do comply with the Board of Zoning Appeals Variance 2023-004, and are in compliance with all other applicable provisions of the Zoning Code and other ordinances as applicable; and
10. The lands shown on the plat are of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, drainage or other menace to neighboring properties or the public health, safety and welfare.

NOW, THEREFORE, THE PLANNING BOARD RESOLVES THE FOLLOWING:

The Planning Board hereby grants Final Subdivision Approval for the proposed minor subdivision as described above, and as shown on the subdivision map noted above.

Motion: Liddle made a motion to approve Planning Board Resolution No. 2023-010; Schneider seconded.

Vote: Liddle, aye; Klein, aye; Schneider, aye; and Chair Angie, aye.

Motion Carried.

B. MNSUB2304-02: Bartishevich 2 Lot Land Division, Public Hearing

The applicant and property owner, Karen Bartishevich, applied for a minor subdivision for the subject site to subdivide the existing 33.30 acre lot into two lots; 'Parcel A', approximately 15.55 acres, and 'Parcel B', approximately 17.75 acres. The Planning Board conducted sketch plat review during the June 5th meeting, requested information from the Finger Lakes Land Trust, and gave direction on public hearing requirements for final plat review. Parcel A contains undeveloped land with a conservation easement through Finger Lakes Land Trust; Parcel B contains the Bartishevich residence.

Chair Angie noted that a 239 review was not required for this subdivision.

Chair Angie shared a statement from the Finger Lakes Land Trust; FLLT noted that there is no restriction on subdivision of the parcel or further sale. Discussion ensued over the exact limitations of future development on the proposed Parcel A.

Schneider stated that only one house may be constructed on Parcel A. Schneider expressed concern that the limitations of allowed development on Parcel A may be lost if they are not properly recorded somewhere. Schneider suggested adding the rules stated in the letter from FLLT into the deed for Parcel A.

Schneider explained that the easement can be given up, under certain circumstances, and rules of the easement are not as powerful as zoning rules. Exact details were not discussed about what the financial benefits of the easement are or what would be required to give up the easement in the future.

Bartishevich briefly described the history of the land under her ownership. Parcel A was previously separate from Parcel B. The easement already existed at the time of purchase. After purchasing the parcel, the two parcels were combined, and the subdivision would reflect the original division of the two parcels. Bartishevich noted that there are strict rules and regulations around the easement, and a yearly walkthrough by the FLLT is required to ensure nothing is changed other than simple trail maintenance.

Chair Angie asked if the deed already contained language about the conservation easement. If separated again, will the deed revert?

Klein stated he believes it would, and the original deed would not be changed.

The Board asked Nate VanWhy, legal counsel for the Town, if the conservation easement language would go back into the original deed, or if a new deed would be written.

VanWhy stated he believes that as long as the easement is in effect, it should follow the subdivided parcel. If this somehow does not follow through, this would be a violation of subdivision approval.

Chair Angie asked if this situation creates any hardship for Bartishevich. Bartishevich responded that she understands the easement must remain in effect.

Liddle stated that since the easement is in the deed, it should be made a condition of the subdivision.

Bartishevich stated that the parcel can be divided twice, but only one parcel may have a house built on it. Potentially, someone could divide Parcel A again, but no development would be allowed beyond one house within the entirety of the land currently contained by Parcel A.

Angie asked the board if there is any reason no negative determination would be found on SEQR.

Planning Board Resolution No. 2023-011

A Resolution of SEQR Determination for the Bartishevich 2 Lot Land Division Located at 7615 Willow Creek Road, Town of Ulysses, Tax Parcel 14.-4-4.12

WHEREAS, the Planning Board finds the following:

1. The proposed action is in consideration of a minor subdivision of a parcel located at 7615 Willow Creek Road, Town of Ulysses, Tax Parcel 14.-4-4.12, zoned A/R: Agricultural/Rural Zone; and
2. The existing parcel of 33.30 acres will be subdivided into two lots; Parcel 'A' will be 15.55 acres, and Parcel 'B' will be 17.75 acres; and
3. The proposal is an Unlisted Action under SEQR for which the Town of Ulysses Planning Board is the lead agency in the environmental review; and
4. The Planning Board on July 18, 2023, has reviewed and accepted as adequate a subdivision map entitled "Survey Map No. 7615 Willow Creek Road Town of Ulysses, Tompkins County, New York", prepared by, T.G. Miller P.C. dated April 25, 2023, and other application materials; and
5. The proposal should not negatively impact the character of the neighborhood or the A/R zone; and
6. The proposal should have minimal impacts to traffic along Willow Creek Road; and
7. The proposal should not negatively impact natural or water resources; and
8. Town planning staff has recommended a negative determination of environmental significance with

respect to the proposed Subdivision Approval.

NOW, THEREFORE, THE PLANNING BOARD RESOLVES THE FOLLOWING:

That the Town of Ulysses Planning Board hereby makes a negative determination of environmental significance in accordance with Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617 New York State Environmental Quality Review for the above reference action as proposed, based on the information in the Short Environmental Assessment Form, and, therefore, an Environmental Impact Statement will not be required.

Motion: Liddle made a motion to approve Planning Board Resolution No. 2023-011; Klein seconded.

Vote: Liddle, aye; Klein, aye; Schneider, aye; and Chair Angie, aye.

Motion Carried.

Chair Angie proposed an amendment to Resolution 2023-012 to include a condition of approval stating that the subdivision is contingent on the conservation easement continuing with the deed.

Planning Board Resolution No. 2023-012

A Resolution of Final Subdivision Approval of the Bartishevich 2 Lot Land Division Located at 7615 Willow Creek Road, Town of Ulysses, Tax Parcel 14.-4-4.12

WHEREAS, the Planning Board finds the following:

1. The proposed action is in consideration of a minor subdivision of a parcel located at 7615 Willow Creek Road, Town of Ulysses, Tax Parcel 14.-4-4.12, zoned A/R: Agricultural/Rural Zone; and
2. The existing parcel of 33.30 acres will be subdivided into two lots; Parcel 'A' will be 15.55 acres, and Parcel 'B' will be 17.75 acres; and
3. This is an Unlisted Action for which the Town of Ulysses Planning Board, as lead agency in the environmental review with respect to the project, has on July 18, 2023, made a negative determination of environmental significance, after having reviewed and accepted as adequate a Short Environmental Assessment Form; and
4. The action does not require 239 review, per the Inter-Governmental Agreement made with Tompkins County 24 November 2003; and
5. Notice of the public hearing was published in the Ithaca Journal on July 13, 2023, was posted on the Town's Public Legal Notice Board, was posted on the Town's webpage, was posted on the subject site, and was mailed to property owners within a 500-foot radius of the subject property; and
6. The Planning Board on July 18, 2023, has reviewed and accepted as adequate a subdivision map entitled "Survey Map No. 7615 Willow Creek Road Town of Ulysses, Tompkins County, New York", prepared by, T.G. Miller P.C. dated April 25, 2023, and other application materials; and
7. The lots shown on said plat do comply with zoning requirements and are in compliance with all other applicable provisions of the Zoning Code and other ordinances as applicable; and
8. The lands shown on the plat are of such character that it can be used safely for building purposes

without danger to health or peril from fire, flood, drainage or other menace to neighboring properties or the public health, safety and welfare.

NOW, THEREFORE, THE PLANNING BOARD RESOLVES THE FOLLOWING:

The Planning Board hereby grants Final Subdivision Approval for the proposed minor subdivision as described above, and as shown on the subdivision map noted above, subject to the following condition:

Condition of Approval

1. Approval of the subdivision is contingent on the conservation easement continuing with the deed for Parcel A.

Motion: Klein made a motion to approve Planning Board Resolution No. 2023-012 as amended; Linda seconded.

Vote: Liddle, aye; Klein, aye; Schneider, aye; Chair Angie, aye.

Motion Carried.

C. SPR233-01: Dollar General Site Plan Review, Public Hearing

The applicant, Ithaca DNYL LLC, on behalf of the property owner, Gates Acres LLC, applied for a site plan review to construct a new 10,640± sf retail store for Dollar General with associated parking, lighting, signage, landscaping, etc. The Planning Board conducted sketch plan reviews during the April 4th and June 6th meetings, requested additional information, and gave direction on public hearing requirements for final site plan review.

Chair Angie briefly explained the project regarding zoning regulations. The OTMU zone permits retail use under 12,000 sqft.

Chair Angie noted that Tompkins County conducted a 239 review and summarized a statement from the County. It was recommended "...that the Town require the applicant to document that they have considered the four energy elements for new construction projects outlined in the Tompkins County energy recommendations for new construction. By addressing these elements, new construction projects or major renovation projects can be designed to help meet our County's goals of reducing greenhouse gas emissions. In addition to recommended modifications, we have the following comment on the proposed action. We suggest that the Town encourage the applicant to utilize lower level LED lighting. Tompkins County Environmental Management Council has studied outdoor lighting and recommends through the attachment that outdoor LED lighting not be higher than 2,700 CCT to minimize adverse human and ecological impacts."

Chris Boyea of Boehler Engineering presented details of the proposal. Boyea showed an aerial view of the land in regards to the proposed subdivision. The drawings showed that the parent lot is about 200 acres, and the land to be subdivided is about 2 acres. Boyea presented the exterior of the building and the location. Boyea described the stormwater management plan, planned parking lot, and trash and service area, as well as additional landscape details as requested from the Board.

Klein requested a 3D rendering of the front view of the building from left to right viewed from the road. Chair Angie asked for a rendering of the plantings. Discussion ensued on further details that the Board would like to see.

Chair Angie asked Boyea to describe how the presence of the store would affect traffic.

Boyea stated that the store would have a low impact, low intensity use, given the commercial zoning. Boyea continued to describe the operations of the store, stating that there would be no premade food, cooking services, or odors associated with food production. There will only be retail of dry goods,

requiring low water usage. Other stores of this size are shown to use about 80 gallons water a day, while a house may use around 400 gallons a day. Boyea explained that water is mainly used for cleaning the floor. There would be low sewer use, less impactful than a residential home. Boyea continued to describe the stormwater pollution prevention plan. A rooftop water planter is incorporated in the stormwater design, as well as bio retention areas in the front of the site.

Boyea continued to describe the traffic impact, stating that a restaurant would have more traffic than this store would. Boyea acknowledged comments about how there are already too many Dollar General stores in the area, stating that traffic would be limited to local residents passing by rather than visitors from outside the town. Boyea stated that the DOT recognizes over 100 trips per hour as significant, and there would be about 30 trips per hour at this Dollar General; the NYS DOT has accepted the proposal and site design with driveway access, stormwater design, and sight distance studies, and all information for phase 1 and 2 have been submitted; the DOT told the applicants to file for a work permit if the project is approved by the town. Additionally, Boyea noted that the county has approved the septic system.

Boyea addressed concerns about large trucks accessing the parking lot. Drawings presented by Boyea showed two colors of pavement on the surface of the parking lot. Dark pavement indicates heavy duty paving where the large delivery trucks will pull in and turn around. A delivery truck would be able to pull into the parking lot and back up to the service facility, ensuring no impact to traffic on Route 96. Delivery volume would consist of about 1 tractor trailer per week. In between semi-truck deliveries, some straight box trucks may deliver smaller orders.

Klein noted that different exterior design options were desired by the board, as discussed during previous meetings. The Board noted the recurring concerns about the visual impact that the architecture of the currently proposed building would bring, including disrupting the character of the neighborhood and impacting property values. Klein noted that the Town is looking for a design that is something other than a plain box. The developers have not provided significant improvements or alternative options to mitigate the issue of the store's design. Boyea stated that the design issues continue to improve. The Planning Board sent the applicant renderings of alternative Dollar General storefronts found online.

Chair Angie opened the public hearing.

Amelia Christian, 1535 Trumansburg Road

Hello, my name is Amelia Christian, and I am a resident of 1535 Trumansburg Rd. My husband and I purchased our home in May of 2020. One of the things that we most liked about our home was its location. We are nestled between Ithaca and Trumansburg. The 1500 area currently exemplifies the town of Ulysses. It is a blend of rural, agricultural, as well as residential spaces. If Dollar General's plan is true, it will completely change the feel of our neighborhood, the 1500 area but especially the 1520-1575. If you approve this plan, our neighborhood will feel strictly commercial. No longer will there be that blend that my husband and I love. I'm concerned about increased traffic in the area. While I do not believe that our town needs a Dollar General, if our community believes one is necessary, there are multiple locations on Trumansburg Road that would provide less of an impact to the residents of that area. I urge you to vote against SPR2303-01, the Dollar General Site Plan.

Ross Johnson, 1535 Trumansburg Road

There are approximately 30,000 dollar general stores in the US, which is more than the total number of Walmarts and McDonald's combined. The Dollar General company is unsafe: they have been given over 98 violations for safety from OSHA, with fines exceeding 21 million dollars. The most common violation found across the US is that fire exits are blocked, creating a fire hazard for workers and shoppers alike. Is this the kind of company that we want in our neighborhood? I don't think so. According to the violation

tracker “Good Jobs First”, Dollar General has had a total of almost 79.5 million penalties against them since 2020. The top 5 primary offences being employment discrimination, workplace safety, and health violations, which according to the tracker website accounts for 207 of the cases. Accounting fraud, a case that’s been brought, where prices were higher at the register than marked on the shelves, as well as wage and hour violations. We don’t need or want a large corporation that preys on its workers and shoppers alike to line their pockets. All this doesn’t address the fact that according to a 2017 report, vehicular crash summary for Tompkins County, the location of the proposed store would be in front of the highest areas of Route 96 for crashes. With all those issues, I say no thanks to Dollar General. As I see it, the store would not add any value to the area, only bring trouble and lower the housing values and make an unsafe road even worse. Allowing Dollar General to move in would destroy the look and feel of the area that my family has fell in love with. We moved to Ulysses because we wanted to live in an area that feels rural but is close to town, not in a town or across the street from one. There is a Dollar General that is 7 minutes form the proposed location of this one, we don’t need another one. Ulysses is not a rural town in the traditional sense, you don’t need to spend 40 minutes in a car to get to a store. Places that you would have to do that, I could see the Dollar General would have a needed benefit. Dollar General is not the type of business I support. Small, local business that keep our hard earned money in our community and add quality, long lasting, dignified jobs, those are the types of business that I would advocate for in our community. I ask you to take all this into consideration and I urge you to deny Dollar General’s application for building. We need better jobs and local businesses, not large corporations who don’t care about their workers or the community it resides in They only care about their bottom dollar. I urge the Town of Ulysses to join the numerous other towns and cities across America who have created laws and voted down creating more Dollar Generals. This way we can preserve the feel and character of our community and allow for small local business to grown and flourish in it.

Doug Snyder, 1539 Trumansburg Road

In addition to what I submitted this morning that I feel all of our neighbors are going to support adamantly, what’s the value? What’s the benefit to the community, the immediate community? In addition to the locally owned stores, why do we need this in our community? Why do we need more of this infrastructure, when it’s such a small community in the Tompkins County area, there is such a heavy saturation of Dollar Generals, and I’m just having a hard time and struggling with why we really need to support this type of business model when we’re just feeding a corporate giant. It completely goes against all, in my opinion, aspects of this local community, and what it’s all about. Smallness, local, families, we just don’t need this in or community. It’s not because it’s directly across from my house, I just don’t see the need in my travels when you’re constantly peppered with Dollar General, Dollar General, and I don’t understand how the local community can support the requirement for it. The good they sell are garbage in my opinion, no disrespect, but again I’m struggling with why we would need to approve this in our local community.

Dear Town Planner,

On behalf of myself & Fiancee Maria Haight at 1539 Trumansburg and our neighbors at 1535, 1537, and 1541, we are writing today to vehemently appose the application of Dollar General's new site being proposed on Trumansburg Rd. for the following:

- Lowering of property values, which is disheartening considering the financial and man-power invested over the past two decades, which not only improves neighborhood, but tax base
- Light pollution is bad enough with Renovus Solar not complying to town's light ordinance as it relates to their LED sign not being turned *off* by 10 pm, but now we're potentially faced

with parking lot lights being on every night directly across from our home

- Market saturation and no value add to community based on existing stores and other Dollar Generals in close proximity. Other than share holder/board member greed, we cannot see the value add here
- Traffic safety - poor section of 96 for increased vehicle & semi traffic TCAT will most certainly add another stop. All of which will create traffic flow and safety concerns in an area of 96 where we already experience issues based on speeds, being a passing zone, etc.
- Noise pollution based on above
- Replacing Ag parcel with a low budget, basic design metal building and significant square foot of asphalt will most certainly be less appealing, have 0 architectural character or curb-appeal, to say the least

Based on above, our hope is our voices will be heard and all points considered to not allow this application to proceed. Thank you for your time and consideration.

Respectfully,
Douglas Snyder and Maria Haight

Sally Taylert, 1541 Trumansburg Road

I have some follow up questions for the Planning Board after the email that I sent a week ago. I also sent a copy again tonight, but I don't know if they saw it, so I would like to present that. And I would like the answers publicly answered and considered before making a decision.

The first one is need. Why do you think there is a need for a Dollar General when there are two Dollar Generals in the area, one 3.7 miles away from the site in Mecklenburg, and another 7 miles away Trumansburg. With a convenience store, produce market, Kinney Drugs and Shur Save all within 5 miles. Number two: How can you balance the loss of residential property value with the corporate greed of one of the highest net profit retailers in the country?

Number three: Please address the safety issue with cars and delivery trucks turning in and out of the access road from Rte. 96. This is a very dangerous, when I tell you we take our life in our hands just pulling out of our driveway, a very dangerous and high speed stretch of road, and is also a passing zone, running north to south, directly in front of the proposed site, and then a south to north one begins on the other side of it.

Number four: How are you going to guarantee, according to the NYS Environmental Bill of Rights, "the right to clean air, water, and a healthful environment"? Dollar General will create air pollution from cars, trucks; wastewater will leech into our sources of well water. Lights and signs will cause light pollution, and the garbage created will end up in landfills.

Number five: Did you know that Dollar General is the only national retailer on the Labor Department's Severe Violator list of companies with unsafe working conditions? During the past two years, OSHA has fined Dollar General 12.5 million, the most of any retailer in the country. Dollar General also claims to contribute to education in the community it serves, how does the proposed store plan to do this? And how did it do this in the Mecklenburg and Trumansburg Stores? Thank you for taking the time to consider these issues. I implore you to make the right decision for the residents of the Town.

Klein asked Taylert if she could provide a written statement about property value, in regards to an earlier letter sent by Taylert that mentioned her professional experience as a realtor; Taylert responded that she would try.

Sue Ritter, 1194 Kraft Rd

The development as proposed is out of character with its surroundings. It will be a major eyesore to the
Planning Board Meeting Minutes DRAFT
July 18, 2023

community and will negatively impact the residential properties across the street. The developer has shown no sensitivity to the character of the area, the other nearby uses, or the residences across the street. The Town of Ulysses deserves better. We should not be settling for this out of state developers low end -- cheap industrial design -- they can do much better, and they need to put more thought into this project to make it consistent with the surroundings and not become a jarring presence on one of our major thoroughfares.

This is the first retail development to be built along this vicinity in 50 years. Whatever the Planning Board approves is going to set a precedent for development in this area going forward. Do we really want large retail stores with no windows and void of any attractive and welcoming architectural features. Do we want developers to place their stormwater facilities immediately adjacent to Trumansburg Road with 4-foot tall chain link fences surrounding them???

The adjacent Renovus building is set back at least 145 feet from the road and surrounded by lawn with a row of mature trees along the entire extent of the Renovus property. Across the street are well maintained residences also with lovely trees and landscaping. Elsewhere are open fields. The plan before you is completely incongruous to this setting.

Here are my initial recommendations:

- Change the stormwater plan to eliminate the 4 ft chain link fence at the road frontage. I didn't see a SWPPP in the materials, but things like diverting the upstream drainage, and creating smaller practices throughout the site; and/or modifying the drainage plan through grading changes; and/or shifting the building location and/or the parking to the sides of the building -- do what is necessary and eliminate need for a chain link fence at such a prominent location. This may require obtaining more land from the current property owner. Then to create more continuity with the vicinity leave a wide swath of green space along the road frontage and add salt tolerant tree plantings. (Boxwoods proposed by the developer along the 96 are not known to be salt tolerant, by the way).

For the building - Change the building design from its current industrial appearance to something attractive and inviting. Break up the long walls with windows that are vertically oriented, add other architectural features such as awnings, provide roof pitch at the entrance and step the roof elsewhere. Use materials that are durable and have a high quality appearance and colors that are attractive.

- Lighting - lighting is a big deal for this site, both for the residents across the street and drivers along the road. Currently there are no lights, so this is a big change. Lighting for this site should be soft and down cast and be no more than is absolutely needed. I would suggest requesting more information on the lighting, including the manufacturers cutsheets. I could not find information on these fixtures on the manufacture's website. I did not see where the pole heights are shown and I was not clear on building mounted lighting? The Dollar Store at the north end of Trumansburg has very bright wall pack lights that are glaring and shine out towards the road. I would suggest referring to the Tompkins County Environmental Management Outdoor Lighting guidelines for this site.

In conclusion, the engineers and architects proposing this project are working on behalf of their Tennessee client. That is who they are looking out for. It is the Planning Board's job to look out for the Town of Ulysses community and the nearby residents. I urge this board to take the reins and use your site plan and SEQR authority to shape this project in a way that lessens its impact and better blends in with the agricultural and rural residential character of this area.

Karen Burke, 1523 Trumansburg Road

I have lived there for almost 28 years, and I run a family daycare, and I worry about the safety of the children by the dollar store attracting people who will walk up and down the street, and watching again

for the safety of the children. So I'm not agreeing with the building of this as well. From a family perspective, I agree with my neighbors. It's a family oriented daycare that I have, and I have to protect the children, so I hope you will look at all those concerns and make the right decision.

Sue McKelvey, 1525 Trumansburg Road

I have been there for 23 years, never would I have imagined having a Dollar General across the street from us. I agree with everybody, I don't believe it fits within the neighborhood, I don't believe it fits within the vision and values of our community. I want you to hear everything that's been said. I'm a little bit down the road from this, but the impact is still going to be significant. The car crashes that we have had in that area are significant. The high rate of speed, passing – people pass before the passing lane is allowed, and it can be horrible. The traffic might slow down a little bit, maybe 9 o'clock at night, but now we're going to have Dollar General... how late is it going to be open, how much more traffic is going... so thank you for having a meeting, and I hope you hear a lot of comments

Motion: Klein made a motion to close the public comment; Schneider seconded.

Vote: Chair Angie aye; Klein aye; Schneider aye; Liddle aye.

Motion Carried.

Chair Angie noted that many of the concerns raised so far have brought him questions about where this proposal fits in, or doesn't, with the Town's Comprehensive plan.

Klein expressed concern that the proposal is moving along too fast and suggested slowing the process down to allow adequate consideration all public comments.

Chair Angie suggested further discussion of public comments and other details of the project before moving forward. Liddle noted that the visual impact remains unresolved and of high concern, referencing potential property value impact.

Discussion ensued over visual issues and how they relate to technical concerns of the stormwater design plan. The Board agreed that the proposed chain-link fence stands out as an exceptional "eyesore" contrary to the neighborhood. Klein noted the fence is needed for safety reasons.

Chair Angie noted worry about the catchments being so close to the road, acknowledging there have been record breaking rainfall levels.

Klein mentioned the heavy rainfall from earlier today and noted concern about the proposed retention ponds potentially overflowing and washing out Route 96 if the gully overflows.

Tygesen and the Board discussed what needs to be done in order to determine what further details are needed from the applicants.

Schneider thanked the public for their comments. Schneider continued to explain to members of the public that since the application fits zoning requirements, the Board will have to further examine what can be done to balance concerns.

Schneider addressed the applicant about the recurring concern over the impact the currently proposed store's appearance will have; rearranging stormwater plan elements is a possible way to solve this.

Schneider suggested looking at how the proposal fits into the Town's Comprehensive Plan, and noted the actual power that the Planning Board has is yet to be determined.

Chair Angie suggested more research and discussion, then formulating a plan based on the public comments and the issues regarding the Comprehensive Plan.

Motion: Klein made a motion to table the SEQR determination, site plan review decision, and discussion on the proposed subdivision (agenda item 6.B) until August 1; Schneider seconded.

Vote: Klein, aye; Schneider, aye; Liddle, aye; Chair Angie, aye.

Motion Carried.

Liddle noted questions were raised that should be discussed now, and asked what is within the purview of the Planning Board. Many do not understand why a Dollar General is needed in this location. Chair Angie acknowledged that certain issues may be out of the purview of the Planning Board, but the eyesore issue, agricultural issues, and drainage are relevant.

Motion: Klein made a motion to keep the public comment open until the next meeting; Schneider seconded.

Vote: Klein, aye; Schneider, aye; Liddle, aye; Chair Angie, aye.

Motion Carried.

Chair Angie stated that the hearing will be continued at the next meeting scheduled August 1. Until this date, comments from the public will be accepted.

Additionally, the following written comments from the public were submitted to the Town before the meeting:

Judith Johnson, 1537 Trumansburg Road

Board:

The purpose of this letter is to state my disapproval of allowing a Dollar General Store at the proposed location on Trumansburg Road.

My residence for the last 23 years is at 1537 Trumansburg Road in the Town of Ulysses. During this time, I have continually made improvements and updates to the inside and outside of this property. There has never been a time when I was not proud to live in the Town of Ulysses and especially at this location. Looking out my windows and admiring the view of well-cared-for properties and landscapes is part of the charm of the area.

For a few years I supplemented my income by getting my real estate license. Property value is determined not only by appraisal, neighborhood, building characteristics, curb appeal and the housing market but also by location. Instructors in this field were clear in stating the importance of LOCATION LOCATION LOCATION when putting a price on a home. Picture two houses built with the same quality of materials, one being in a sparsely populated neighborhood outside of town with spacious yards and maintained home and lawns, and the other in a less spacious area across from a discount store. No question which property has more value. The people in this area live in this first neighborhood and don't want their properties to decrease in value.

It is no secret that several discount properties become unattended with weeds up driveways or growing up fences, pot holes in drive ways, pools of water to step in when exiting the car, boxes hanging out dumpsters, cigarette butts and papers on the ground, shopping carts sitting around and employees and/or patrons smoking outside the buildings. These are totally unacceptable and can also reduce the value of the surrounding properties.

Please take into consideration all the above and support the values of the existing neighborhood.

Sincerely,

Judith Johnson

Jessica Brown, 1415 Trumansburg Road

Hello and thank you.

technically I live in the town of Ithaca at 1415 Trumansburg road, but I am feel compelled to reach out and beg you to oppose the Dollar General it is proposed for Ulysses.

cheap goods only come from veiled costs elsewhere: in this case, costs to the environment and costs to the labor creating the goods and selling them. As a company that Dollar General has an atrocious record - I'm sure you've read about - and we need to resist this here. it is not in line with the beauty of our community or our charm or our values.

Thanks!

Debra Herrmann, Trumansburg/Ulysses Resident

The area does not need or want another Dollar General near Trumansburg on Rt 96 between Jacksonville and Ithaca. The residents already deal with traffic in that area and more cars turning into and out of a parking lot will add to problematic driving locally. Delivery trucks will add more traffic and noise. Terrible idea on a busy commuter road in a residential area.

Vivien Rose, Trumansburg, NY

Let me begin by saying that the Town of Newfield Planning Board is reported to be seeking means to inform Town residents of proposed actions before their board. I suggest the Town of Ulysses Planning Board take the same measures. Individual citizens should not have to search through the Town website to find out what proposals are before the board. The Dollar General proposal has been before the board since April 4, 2023 yet no notice was made to the residents of the Town. Even the weekly information email sent to residents who have requested receipt has mentioned nothing about a proposed multi-national chain anywhere in the Town. Instead, it tells readers to check the agenda. With all due respect, an unneeded chain store in the Town with no public notice beyond an email newsletter 4 days before the public meeting to hear comments on the proposal is inadequate.

I do not support approval of the proposed site plan or any building permit for Dollar General nor subdivision of the owner's property to a ca. 2 acre lot to build it because the proposed Dollar General is: Not a local or neighborhood concern intending to meet a local or neighborhood need

Dollar General is an international chain intent upon extending its reach into small communities in the US and Mexico. Per its website accessed 7/16/2023

<https://investor.dollargeneral.com/websites/dollargeneral/English/0/investor-relations.html>

"Dollar General Corporation (NYSE: DG) is proud to serve as America's neighborhood general store. Founded in 1939, Dollar General lives its mission of *Serving Others* every day by providing access to affordable products and services for its customers, career opportunities for its employees, and literacy and education support for its hometown communities. As of May 5, 2023, the company's 19,294 Dollar General, DG Market, DGX and pOpshelf stores across 47 states and Mi Súper Dollar General stores in Mexico provide everyday essentials including food, health and wellness products, cleaning and laundry supplies, self-care and beauty items, and seasonal décor from our high-quality private brands alongside many of the world's most trusted brands such as Coca Cola, PepsiCo/Frito-Lay, General Mills, Hershey, J.M. Smucker, Kraft, Mars, Nestlé, Procter & Gamble and Unilever."

Dollar General's business model is to saturate small communities with stores (2 in Lansing in the last 15 years) and lease their stores to operators with a requirement that they stock their stores with materials from the Goodlettsville, TN brand and through that brand. They are in no way local or a neighborhood store unlike the others in the same area.

According to my research, neither Gates Acres LLC or the owner of the parcel wanting to be subdivided are local residents. As far as I can see, the proposal does not have the best interests of their neighbors or Town of Ulysses in mind.

Not sited in or near a hamlet with other stores (as per all other Dollar Generals in this area)

Dollar General stores located in Watkins Glen, Montour Falls, Ovid, Interlaken, Trumansburg and Enfield are located in hamlets or villages with other stores. DG's website states that 75% of US residents are within 5 miles of a Dollar General store. Depending on their location in Town of Ulysses, most local residents are already within 5 miles of a Dollar General store, whether in Enfield or Trumansburg. The proposed site is not in a hamlet or village and is a departure from Dollar General usual practice.

Not like the other retail shops in the area

The only other retail shops in the area (furniture store and pool/pool table store) share a parking lot and building and are located near a marked intersection/decreased speed sign. The stores have been there a long time. Until recently they did not display lighted signs at night. They serve limited clientele with limited traffic.

Hazardous to others

The proposed store as planned presents hazards to drivers entering and exiting the store and those traveling on NYS Rte. 96 in a 55 mph zone. The proposed site is not near a marked intersection/reduced mileage zone. The proposed sign lighted all night presents visual distraction to passing motorists. Nightlights also disorient migrating birds and kill native pollinators attracted to the light. The county modification only addresses energy use, not adverse effect to environment and drivers. No lighted signs should be allowed in the Town.

Adjacent to and adversely affecting rural/agricultural and residential zoning

While current zoning allows the stores already there, in my view it does not and is not intended to allow anomalous stores like Dollar General. The proposed location is near a farm (Stick and Stone) and empty fields purchased to allow a solar farm that did not happen despite approval by the Town Planning Board. Adjacent homes are private residences.

Unnecessary

The proposal provides no market research indicating any local or neighborhood need for or desire for the proposed store beyond the multi-national chain's desire for a "store within 5 miles."

No contribution to local community

While Dollar General stores collect money for literacy and claim to invest in local communities, as of 7/16/2023, no funds have been granted to any community in Seneca or Tompkins County where DG stores are located per DG social responsibility website.

No contribution to county or Town zero waste and environmental goals

Dollar General touts itself as environmentally conscious per 2022 report on DG website as it simultaneously aggressively expands its stores. A proposed new store at this location will use local water, energy and waste services. The county modification does not address continued use of environmental services.

For all the reasons stated above, SPR 2023 should be withdrawn by Dollar General. If not withdrawn, the proposed store and subdivision should not be approved by the Town Planning Board.

New Business Items

A. MNSUB2306-01: Washburn 2 Lot Land Division, Sketch Plat Review

The applicant and property owner, Heather and Mark Washburn, applied for a minor subdivision for the subject site to subdivide the existing 89.343 acre lot into two lots; 'Parcel 1', approximately 59.345 acres, and 'Parcel 2', approximately 30 acres. The A/R zone requires a minimum lot area of 2 acres, 200 feet of lot depth, and 400 feet of lot width at the front property line per Ulysses Town Code ([UTC](#) 212-29). Flag lots are permitted in the A/R zone per [UTC 212-29.M](#) subject to the standards listed in [UTC 212-130](#). The proposal is considered an unlisted action under SEQR for which the Board will act as the lead agency.

Mark Washburn introduced the subdivision proposal and explained that they are planning to sell the 30

acres to be subdivided. Liddle noted the proposal complies with zoning and asked about ecology.

Washburn responded that there are not many wetlands, as seen on submitted materials. Chair Angie asked if a flag would be maintained to connect Krums Corners Rd.

Washburn provided details on how the land is used, noting that land is leased to farmers, and access would be kept to the back 20 acres. The flag would be access for farmer to be let in. Chair Angie asked about the location of the residence. Main access to the home is on Kraft Rd, with field access on Krums Corners Rd. Angie noted Willow creek goes through the property, and Washburn spoke briefly about field drainage.

Schneider noted that the proposal seems straightforward and asked about the flag poles.

Washburn noted that 10 acres were subdivided from the parent lot a few years ago. A maximum of two flag lots are allowed to be subdivided from a parent lot in accordance with the current zoning regulations in the Town. In the future, only lot line adjustments will be allowed.

Schneider asked if this is a 3rd flag. Tygesen explained that it is not; the strip of land connected to the parent lot, Parcel 1, does not qualify as a flag pole.

Chair Angie requested a topographical map.

C. SPR2306-01: Gaulke Tram, Sketch Plan Review & Referral of Comments to the BZA

The applicant, Shawn Ritchie, on behalf of the owner, Chris Gaulke, proposes to construct a new 100' tram system from the upper portion of the subject lot down the steep slope to the lower portion of the lot near the shoreline. An application was also submitted to the Town's Board of Zoning Appeal (BZA) for two area variances: reduction of the 50' minimum required front yard setback under the Ulysses Town Code ([UTC 212-47.E](#)), and reduction of the 75' minimum required buffer setback from the lake under [UTC 212-124.B](#). Per [UTC 212-43](#), accessory buildings (including accessory structures) associated with single-family residences are permitted in the LS zone, but require site plan review when within a slope overlay area.

Matthew Hatten of FLX Trams noted that the proposal is very similar to a recently approved project on a property in the neighborhood. The applicants provided the board with updated documents showing the high water line; Hatten stated that the tram will be uphill from the line. Hatten noted that a new survey map is being created currently.

Hatten noted that Gaulke currently has no way to access the lakefront on his property because there are no stairs. Gaulke explained that he occasionally uses the neighbor's stairs, based on a "handshake agreement", to access the lakefront. Hatten noted that a tram is safer than steep stairs.

Hatten described the structure of the tram and the effect on the surrounding environment. The tram will not take up much ground, and vegetation will be able to grow around and under the tram, which is raised 3 feet above the ground.

Schneider noted submitted photographs indicate significant clearing has been done on the land already, and noted the presence of some lumber. Hatten explained that the wood is for a dock that is under construction; the dock is not associated with FLX Tram.

Gaulke addressed the appearance of cut trees, stating he believed that the former owner had hastily cut trees in an attempt to improve the property's marketability. There was, and still is, no lake access when Gaulke purchased the property, and there was also no view of the lake from the home. Gaulke noted that some hemlock trees also came down during a wind storm. Hatten added that it is important to keep

root systems intact to prevent soil erosion, and FLX Tram avoids cutting anything over 6" in diameter, but preferably avoids cutting as much as possible.

Chair Angie asked which High Water Line was being referenced and if this is a hundred-year mark; Gaulke believes it is. Chair Angie asked for further clarification on where this information was sourced from.

Schneider noted that a map depicting buffers is typically provided. There is a ravine, so a buffer should be required. No construction is permitted within a buffer area, to prevent erosion and protect streams. Gaulke responded that this area was described to him as a ditch.

Chair Angie stated that if this area is categorized as an intermittent stream, rules are different than if it is categorized as something else.

Schneider asked for topography, and Gaulke replied this will be visible on the new survey map being created.

Klein asked what the other driveway existing on the property is used for. Gaulke stated there had previously been a subdivision, and the driveway circles down to Glenwood Rd. Klein asked for clarification about the gravel drive in the north, where there appears to be a small bridge. Gaulke explained that the north driveway is asphalt, and the south is a loop, with a bridge going across the ditch/ravine area.

Schneider asked about tram capacity. Hatten stated there is no smaller cabin version, all are alike, allowing the passage of 1-4 people.

Chair Angie asked about the 50-foot minimum required front yard setback and if the lake qualifies as the front yard; Tygesen responded yes.

The Planning Board asked the applicants to provide further details about topography and details about the ravine.

D. SPR2306-02: Jacksonville Park, Sketch Plan Review

The applicant, Pete Angie, on behalf of the owner, Jacksonville Community Association, Inc., proposes to construct improvements to Jacksonville Community Park, including a new off-street parking area and path, in order to improve accessibility and use of the park. An application was also submitted to the Town's Board of Zoning Appeal (BZA) for three area variances: reduction of the 100' minimum required stream buffer required under Ulysses Town Code (UTC) 212-115.A to 25' for the proposed ADA off-street parking area, reduction of the 100' minimum required stream buffer required under UTC 212-115.A to 25' for the proposed overflow off-street parking area, and reduction of the 100' minimum required stream and wetland buffers required under UTC 212-115.A to 74'-10" for an existing ADA compliant restroom.

Because Chair Angie is the president of the JCA board, he recused himself as Chair of the Planning Board for this Sketch Plan Review.

Motion: Schneider made a motion to make Linda acting Chair for the Jacksonville Park Sketch Plan Review; Klein seconded.

Vote: Schneider, aye; Liddle, aye; Klein, aye.

Motion Carried.

Nancy Zahler briefly summarized the history of the park and spoke about the purpose of the proposed project.

The Jacksonville Park was a gift from The Grange in 1960. JCA is a nonprofit board of directors, operating without staff, and using limited resources. The goal of this proposal is to make the park more accessible to those with limited mobility. The Park wants to create a small 27x22 foot parking area near the existing pavilion. From the parking area, a 4 foot wide path would be added. This would lead along the edge of pavilion, and then to a handicap accessible restroom. Zahler noted that the JCA is working in installments as funding becomes available. The project has been reviewed and endorsed by the Town Board. Next, the park would seek bids from contractors, who will excavate and fill the space with stone dust, creating a surface similar to the Black Diamond Trail. This path would allow safer navigation for wheelchairs, walkers, and crutches.

Schneider noted she is happy that Jacksonville is being improved, but expressed concern about how many problems are being faced because of buffers being so close to the proposed changes. Schneider asked if Zahler has talked to an engineer regarding flooding, considering recent events. Zahler responded no; no independent engineer has been consulted, but the health department did look at the design and chose the location.

Angie noted the leech field meets setbacks and pointed out that the pond is uphill from septic, resolving some concerns from the Board.

Zahler elaborated on the area variances required to move the project forward.

The first variance is for the proposed parking area. Coming up the driveway, there is a small intermittent stream. This requires a 100 foot setback. The variance asks this to be reduced to 25 feet.

The second variance is for putting parking spaces along the driveway. The setback needs to be reduced to 25 feet. Angie noted that the surface of these parking spaces would not be changed. The spaces will only be used a few times a year, no paving will be done and the area will remain covered in grass.

The third variance is for a setback from the buffer zone of the stream. The buffer is 100 feet, and the variance would reduce this for the restroom, which is 74.10' away from the stream.

Angie noted that a parking lot is currently next to the pond, and shifting parking away will allow more enjoyment of the area near the pond, for something such as picnics. The JCA aims to create more orderliness within the park.

Zahler began to explain the effects of the 2019 zoning update on the park. Using land within the Park zone as a park requires a special permit. The only allowed land use within the Park zone is agriculture.

The Planning Board noted that the project will be sent to the BZA to determine how to proceed with sought variances before returning to the Planning Board.

Schneider stated she is not comfortable with voting that there is no negative determination until knowing more details about the streams.

Motion: Schneider made a motion stating that The Planning Board has determined there is good rationale for the project, though there are concerns for potential impacts to the buffers of the streams and wetland located on site; Klein seconded.

Vote: Schneider aye; Liddle aye; Klein aye.

Motion Carried.

E. DD2211-01: Inn at Taughannock Falls, Development District Proposal

Jason Demarest, on behalf of the property owner TFI Landco, LLC, proposes to create a new development district to modify some of the existing zoning regulations of the current B1 zone. The proposal would facilitate development of the subject site to include construction of a multi-purpose hotel with 75+/- guest rooms, spa, fitness center, and an event space with a commercial kitchen. The Town Board first heard a presentation of the proposal by the Inn at Taughannock Falls during their August 23, 2022 meeting. Subsequently the Town Board determined the proposal merited further consideration and referred the proposal to the Planning Board for review and recommendation to the Town Board during their November 8, 2022 meeting, see Exhibit B, Town Board Resolution 2022-166. On February 7, 2023, the applicant's team met with Town staff, Planning Board Chair, and Legal to discuss the proposal and overall process during a sketch plan conference per Ulysses Town Code (UTC) 212-20.C.2.

Chair Angie noted that this proposal presents an uncommon situation. The creation of a development district would rezone the area from B1 to DD.

Chair Angie read an excerpt from section 212-20 of the Ulysses Town Code:

The Planning Board shall consider: The need within the community for the proposed use; The desirability of the proposed location; The compatibility of the applicant's proposed particular mix of land uses with the existing character of the neighborhood in which the proposed use would be located, and the impact on the future quality of the neighborhood; Safeguards proposed by the applicant to mitigate possible detrimental effects of the uses within the proposed rezoning on the entire area and on adjacent property; Safeguards proposed by the applicant to preserve existing trees and outstanding topographic or geologic features, and reduce potential for soil erosion and sedimentation; Evidence that the application is compatible with the goals of Comprehensive Plans, if any; a general statement as to how common open space is to be owned and maintained; if the development is to be phased, a general indication of how the phasing is to proceed. Whether or not the development is to be staged, the sketch plan shall show the intended total project; Evidence of the applicant's capacity to carry out the plan and the applicant's awareness of the scope of the application, both physical and financial.

Carl Mazzacone, the owner of Taughannock Inn, read a statement to the Board:

The Inn at Taughannock Falls is respectfully seeking the board support in securing a development district to expand the hotel property currently located at 2030, 2031, and 2051 Gorge Road in Trumansburg, New York. Over the last eight years we have transformed the property with the creation of the Enchantment wedding garden, and the substantial investment in aging infrastructure and aesthetic improvements in all 21 rooms and common spaces. In 2015, the previous owner engaged 28 employees with an annual budget of \$290K in labor cost. Today the Inn at Taughannock employs 125 full and part-time employees, and we spend 2.1 million in labor. The hotel, the restaurant, and the events have all achieved excellence in posted 5-star reviews. In 2022, we hosted 79 events. Our sales team was forced to secure 3,978 hotel rooms for our clients at downtown competition, such as the Marriott, Hilton, Canopy, and Ithaca Hotel. This is a documented number, however we believe the actual number may be greater by 30%. This year, we expect the number to double, to over 6,000 room nights, which is a significant amount of money that we are losing in this investment opportunity, and that's why we desperately need to increase our rooms.

Mazzacone noted the 30% figure is an estimate, determined by the amount of phone calls that were made in an attempt to book rooms when the Inn was full. Mazzacone described the layout of the Inn, which includes five buildings: Parkview, The Victorian Inn, the Hillside house, an office called Lakeview, and Edgewood. Mazzacone noted only one building is designed like a hotel, and the others are built like single family homes. Mazzacone explained that the lake view property, built in the 1950s, is intended to

be demolished in order to allow space for the proposed hotel construction. Mazzacone would like to take wear and tear off of the 150 year old Victorian mansion, which serves as the main building of the Inn currently. Mazzacone stated that the new building would have a lodge aesthetic, and feature additional facilities such as a spa and fitness center.

Jason Demarest, the architect of the proposal, spoke about the project so far. Demarest noted that the success of the wedding business is driving the need for more accommodations.

Demarest stated that the applicants understand zoning restrictions, and these regulations severely limit design options. Demarest would like to pursue a building design that has more stories, instead of constructing multiple shorter buildings, which would cover more of the site. Demarest acknowledged details that the Planning Board would like to see are sparse, but believes they will fall into place during the planning process. Demarest noted that a sewage treatment area would be added, and the existing facility that serves the Inn is high-tech.

Demarest stated that a development district is normally about uses, but this proposal is instead requesting a change in dimensional requirements, as uses are already permitted. 75% of lot can be covered in the business district. Demarest stated that the height limit of 32 feet is restrictive, and a low slope roof is not visually compelling; limiting coverage of the lot is the goal of the proposed design.

Demarest described proposed overflow parking for events on grass. Demarest stated that the developers are looking for setback relief from Gorge Road, noting that there could be a small hut or shop closer to the road.

Demarest noted that the applicants are happy to compensate by removing allowed uses such as gas stations and dry cleaners. Demarest stated that parking would be located underneath the hotel with overflow parking planned for the grass during event. Demarest noted that plans to have a "security hut or shop" would require setback relief along Gorge Rd.

Demarest believed there would be job creation and tax revenue generated with this development and expressed the belief that growing the Inn would align with the Town Comprehensive Plan's objectives. Chair Angie noted that the Planning Board needs to recommend to the Town Board whether or not these proposed zoning changes should move forward, however details regarding the changes and the effects they will bring to the town remain uncertain.

Schneider acknowledged that the applicants have been successful in running the Inn by taking advantage of the three natural resources located close to the property, noting these resources are the key to the Town. Schneider stated that the visual changes that the proposed new hotel would bring would be significant, and could dominate a location where many visit to enjoy natural sounds and sights found in the setting of the park. Schneider briefly noted the previous proposal by developers at the Inn in previous years including the desire to raise the height limitations of buildings, indicating the same issues apply. Schneider mentioned the importance of water quality in relation to managing the rise in sewage that would need treatment with such a facility.

Schneider stated that this development could possibly change the course of the Town; and receiving input from the community about what they would like to see in the future in relation to the Comprehensive Plan update is key for Schneider.

Schneider indicated that this proposal is too big to be resolved at the moment, and the massive changes that could be implemented by expanding the Inn need to be looked at more thoroughly, in conjunction with further Comprehensive Plan development. Schneider acknowledged that the expansion of the Inn would certainly bring profits to the Inn, but expressed uncertainty that what is being proposed would guarantee benefit to the Town as a whole.

Liddle noted one purpose of the height restriction is to protect the view shed, raising the question of what impact people in the vicinity of the new building would face. Chair Angie asked to see a rendering of what the building would look like from the lake.

Klein mentioned parking concerns in relation to the recent July 4 party and what occurred along Gorge Rd during this event. As parking overflowed onto Gorge Rd, people were walking all over the road, creating a dangerous situation. Klein indicated knowing more precise figures in parking spots and attendance would need to be clarified.

Gragg asked for clarification about who is located behind and above the proposed hotel and what would happen to neighboring properties in the future.

Mazzacone responded to the Board's concerns and noted that the location alone does not guarantee the Inn's success as a business, stating that the Inn lost money yearly prior to his ownership; Mazzacone further explained that \$400-\$500K were lost yearly during the beginning of his ownership while renovations were made and work was done.

Mazzacone stated that the buildings on campus known as Hillside and Edgeview are the only structures that would be impacted by the proposed hotel, and the land behind the site belongs to the park, with no plans for development.

Mazzacone acknowledged that the Fourth of July party was "crazy" and noted that a police officer plus nine others were hired to help maintain orderliness. Mazzacone expressed that the party was under control for most of the evening until crowding began closer to the time that fireworks were set off. Mazzacone noted that the requirements regarding parking, stormwater, and septic facilities are understood.

Mazzacone briefly reviewed the development attempts in years prior, referencing the denied variances previously sought to build a new structure; the Enchantment wedding garden was created instead. Chair Angie asked for details about what would happen to wastewater. Mazzacone stated that the goal was to eventually eliminate septic tanks and develop a treatment system on site through a company called AquaPoint.

Klein asked if the Inn would also use this system; Mazzacone clarified that the Inn was already using a new septic system and the proposed treatment facility would not cover water usage of the entire campus. A holding tank on the 2030 side of the road would be used for events.

Chair Angie asked what the purpose of the future building behind the pond would be. Mazzacone explained that this is only a placeholder at the moment, but a spa may be considered for this site.

Klein asked for a 360 degree view of the proposed building, clarification on building height in relation to tree level and the location of the pond.

Mazzacone stated that it would be nearly impossible to see the proposed building from the park, but views could be provided from the road or other locations where it would be visible.

Chair Angie noted that this facility would allow events to occur year round and asked for further information on traffic, guest attendance, and the number of events in the past years.

Demarest noted that many wedding groups currently travel to the wedding tent by bus, and future events would utilize the proposed parking with the hotel during colder seasons.

Mazzacone noted the lack of communal indoor space was frustrating, since the Inn has a bar with only 8 seats.

Demarest believed that parking demand would not be greatly impacted since the traffic study done in

2017. Klein asked if another traffic study was needed; Chair Angie asked to see more information about event frequency and attendance.

Demarest stated that since guests would be staying on site during events, traffic is expected to be more fluid than events such as the Fourth of July party where guests arrived and left all at once.

Schneider asked for further details on water and sewage use. Chair Angie noted that water usage is important for the Planning Board's assessment. Discussion ensued on what details are needed at this time for a development district proposal versus what will come to light in future project details.

Chair Angie asked about the grass paved parking. Mazzacone explained this is a better option than asphalt; grass can grow within the parking area.

Mazzacone noted that the tent goes up in mid-May and comes down mid-October, subject to temperatures.

Chair Angie asked for information on where stormwater would go after contacting the roof and gutters of the proposed building, noting the lake located close to the site; Mazzacone noted there are underground tanks.

Chair Angie asked for the anticipated event attendance figures that would come if capacity were to be increased.

Randy Marcus emphasized that the applicants are seeking zoning relief regarding height and setback regulations, and a similar goal could be achieved by constructing multiple smaller buildings, but this is not seen as ideal by the developers.

Town Board Liaison Report

No Town Board members were present at the meeting.

Motion: Klein made a motion to adjourn the meeting; Liddle seconded the motion.

Vote: Liddle, aye; Schneider, aye; Klein, aye; and Chair Angie, aye.

Motion Carried.

ADJOURNED 9:49 PM

Mollie Duell

Planning Board Secretary